

In The Matter Of:
Cheri Marie Hanson vs.
Daniel Best, et al.

30(b)(6) of the City of Mankato through Officer Jeremy Clifton
June 22, 2016



Min-U-Script® with Word Index

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1 It's not admissible or relevant.
2 **BY MR. MILLER:**
3 Q. Do you see where it says, "Only the
4 RIPP Hobble restraint device approved by the
5 Department shall be used"?
6 **MS. SKOGLUND:** Capital R-I-P-P.
7 **THE WITNESS:** I do see that, yes.
8 **BY MR. MILLER:**
9 Q. Okay. Was that the hobble restraint
10 that was being utilized on 1/1/2013?
11 **A. I do not know.**
12 Q. If you look at 306.5.
13 Do you see 306.5?
14 **A. I do.**
15 Q. It says, "Only those officers trained
16 in the use of the restraint are authorized to employ
17 it on any person."
18 Do you see that?
19 **A. I do see that.**
20 Q. And, so, that became a written policy
21 on 2/20/2013. Is that right?
22 **A. The date of its enactment and**
23 **thereabouts would have been when it was enacted as an**
24 **individual policy, labeled "306."**
25 Q. Was that also what officers were being

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1 trained on prior to that date, is that you should only
2 use it if you know how to use it or if you've been
3 trained on it?
4 **A. On the date of this event, on 1/1 of**
5 **'13, the officers who employed its use would have**
6 **been -- employed its -- would have employed its use**
7 **through supervisor guidance and demonstration and**
8 **acknowledgment that they understood its use of how to**
9 **employ a hobble strap.**
10 Q. And, so, the --
11 **A. No specific language of this nature, as**
12 **it says on the first page, existed until 2/20 of '13.**
13 Q. Okay. Let's look at the next page.
14 **A. (Witness complies.)**
15 Q. Section (d).
16 **A. "D," as in David?**
17 Q. Yeah. It says on the top of the page,
18 "Once secured, the person should be placed in a seated
19 or upright position and shall not be placed on his/her
20 stomach for an extended period as this may potentially
21 reduce the person's ability to breathe."
22 Do you see that section?
23 **A. I do see that.**
24 Q. And is that the policy?
25 **A. That's the --**

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1 **MS. SKOGLUND:** Sorry to have to keep
2 continuing to object, but.
3 **THE WITNESS:** That's the language of
4 the policy stated in the leg restraint policy.
5 **BY MR. MILLER:**
6 Q. Was that how officers were being
7 trained through the training that they were receiving
8 on the hobble prior to this time?
9 **A. I think, as I stated before, officers**
10 **were being trained to mitigate the situation as it**
11 **arises in order to best control and defend and --**
12 **within that situation.**
13 Q. And were they trained that part of the
14 situation is that having someone on their stomach may
15 potentially reduce the person's ability to breathe?
16 **MS. SKOGLUND:** Foundation. And it's
17 calling for an expert opinion.
18 But go ahead.
19 **BY MR. MILLER:**
20 Q. I'm just asking. This is the policy
21 right now, right; that being placed on his or her
22 stomach for an extended period of time as this may
23 potentially reduce the person's ability to breathe?
24 That's how you would instruct an officer as we sit
25 here today. Is that right?

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1 **A. Under "D," as in David, it speaks to**
2 **the word "should," which speaks to each circumstance**
3 **is different; and that within the situation that we**
4 **are speaking about today, that each circumstance will**
5 **be different and the officers there need to best**
6 **mitigate that situation.**
7 Q. And is part of the circumstances that
8 they should be understanding is that being on your
9 stomach in the prone position, you know, being in the
10 prone position, with the hobble strap applied, could
11 impede someone's ability to breathe?
12 **A. The officers should be observing the**
13 **subject that they have within their purview, that**
14 **they've been dealing with, to ensure that they are**
15 **medically sound, and they're looking at all**
16 **observations to include a variety of things about**
17 **subject care.**
18 Q. And prior to the enactment of this
19 policy, were they being trained that having someone on
20 their stomach in a restrained position could
21 potentially reduce their ability to breathe?
22 **MS. SKOGLUND:** Asked and answered.
23 **MR. MILLER:** He didn't answer it,
24 though.
25 **BY MR. MILLER:**